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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FACETIME COMMUNICATIONS, INC.,

Plaintiff,

v.

REUTERS LIMITED,

Defendant.

DOCUMENT ELECTRONICALLY FILED

Civil Action No. 08-4730 (CM)

**DECLARATION OF DERIC MOILLIET
IN SUPPORT OF PLAINTIFF
FACETIME'S MOTION FOR SUMMARY
JUDGMENT**

I, **DERIC MOILLIET**, being of full age, hereby declare as follows:

1. I am the Vice President of Corporate Development of Plaintiff FaceTime Communications, Inc. ("FaceTime"). I make this declaration to put forth certain facts in support of FaceTime's motion for summary judgment. I have personal knowledge of the matters stated in this declaration.

2. On or around February 13, 2008, I spoke on the phone with Fran Barak (Reuters' Global Head of Marketing and Strategy) and shortly thereafter with Chris Lamb (Reuters' Senior Vice President of Strategic Alliances). Given that Reuters had failed to exercise its option to purchase a perpetual license from FaceTime by the January 31, 2008 deadline set forth in the parties' Source Code Licensing Agreement, I advised those individuals that the

Agreement had terminated according to its terms. I then extended an invitation to Messrs. Barak and Lamb to discuss terms for a new agreement for Reuters to license FaceTime's software. Mr. Lamb and I scheduled a meeting.

3. I met with Mr. Lamb in New York on February 21, 2008 and that meeting was followed by a series of telephone conversations regarding possible terms for a new Reuters license of FaceTime software. At no time did Mr. Barak or Mr. Lamb dispute that Reuters had failed to exercise its option by the January 31, 2008 deadline.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.



Deric Moilliet

Dated: June 16, 2008